

REMARKS

The Office has required restriction in the present application as follows:

Group I: Claims 1-5, 11-13, 17-18, and 21, drawn to a bending apparatus; and

Group II: Claims 6-10, 14-16, 19, 20, and 22, drawn to a method of bending at least one glass sheet.

Applicants elect, with traverse, Group I, Claims 1-5, 11-13, 17-18, and 21, drawn to a bending apparatus.

The Examiner, citing PCT Rule 13.1 and 13.2, contends that a lack of unity exists between Groups I-II, because the special technical feature of the present invention does not define a contribution over the prior art. To support this assertion, the Office cites EP 0443948, EP 0928779, EP 0659697, and EP 0592862 from the International Search Report. However, the Office merely points to these references, but fails to provide any support for the cursory conclusion that these references disclose the special technical feature of the present invention. Accordingly, the Office has not made out a proper case under the PCT Rules to support the Restriction Requirement, and as such it should be withdrawn.

Moreover, Applicants respectfully traverse on the grounds that the Office has not shown that a burden exists in searching the entire application.

MPEP in §803 states as follows:

“If the search and examination of an entire application can be made without a serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.”

Applicants respectfully submit that a search of all the claims would not impose a serious burden on the Office.

For the reasons set forth above, Applicants contend that the Restriction Requirement is improper and should be withdrawn. Withdrawal of the Restriction Requirement is respectfully requested.

Applicants respectfully submit that the above-identified application is now in condition for examination on the merits, and early notice thereof is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



C. Irvin McClelland
Registration No. 21,124

Vincent K. Shier, Ph.D.
Registration No. 50,552

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413-2220
(OSMMN 08/03)
CIM:VKS